



## Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258-5514  
Telephone: 480-551-2700 • Toll Free: 877-255-2212 • Fax: 480-551-2704  
Website: [www.azmdboard.org](http://www.azmdboard.org) • Email: [questions@azmdboard.org](mailto:questions@azmdboard.org)

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March 4, 2005

D. Jay Ryan, Esq.  
4150 West Northern Avenue  
Phoenix, AZ 85051-5798

RE: J.L. v Cynthia J. Modny, M.D.  
Case # MD-03-1318A

Dear Mr. Ryan:

The purpose of this letter is to inform you that during the course of the February 9-10, 2005, public meeting, the Arizona Medical Board (Board) reviewed the above-referenced complaint and all pertinent evidence and information gathered during the investigation. At the conclusion of its review, the Board voted to issue Dr. Modny this Advisory Letter for inadequate medical records. A.R.S. § 32-1401(3)(b) The violation is a minor or technical violation that is not of sufficient merit to warrant disciplinary action.

An advisory letter is a non-disciplinary action, and is not subject to review by either the Board or the Courts. See *Murphy v. Board of Medical Examiners of the State of Arizona*, 190 Ariz. 441, 949 P.2d 530 (App. 1997). However, you may file a written response to the letter with the Board on behalf of your client within thirty days after its receipt A.R.S. § 32-1451(E)(2). If timely received, the response will be attached to the advisory letter and maintained in the physician's permanent file. The written response will also be hyperlinked to the physician's profile on the Board's website.

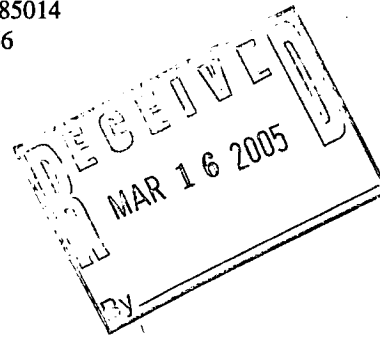
Sincerely,

Sandie S. Schmidt  
Board Coordinator  
E-Mail: [boardcoordinator@azmdboard.org](mailto:boardcoordinator@azmdboard.org)  
Phone: (480) 551-2773  
Fax: (480) 551-2705

cc: Investigation File  
Permanent File #22577

**CYNTHIA J. MODNY, M.D., P.C.**  
**DERMATOLOGY**

1277 E. Missouri Avenue, Suite 114  
Phoenix, Arizona 85014  
(602) 266-0266



March 14, 2005

Arizona Medical Board  
Attn: Sandie S. Schmidt  
Board Coordinator  
9545 East Doubletree Ranch Road  
Scottsdale, Arizona 85258-5514

RE: J.L. v Cynthia J. Modny, M.D.  
Case# MD-03-1318A

Dear Ms. Schmidt:

I take exception to your determination that I provided inadequate medical records on

My office sent you the entire chart of . Your office lost her medical history and financial/personal information forms which triggered my interview with you on Thursday, May 13, 2004.

The records demonstrate that the patient only had one wart (average verruca vulgaris) on her left ankle (which she wanted treated medically) and wanted a total skin exam which was performed. This patient had almost no lesions on her; neither, normal nor abnormal. There was not much written because there was not much to write about.

Sincerely,

Cynthia J. Modny, M.D., P.C.

CJM/bjn